

**FORTY-THIRD DAY**

## NOON SESSION

Senate Chamber, Olympia, February 21, 2005

The Senate was called to order at 12:00 noon by President Owen. No roll call was taken.

## MOTION

On motion of Senator Eide, the reading of the Journal of the previous day was dispensed with and it was approved.

## MOTION

There being no objection, the Senate advanced to the first order of business.

## REPORTS OF STANDING COMMITTEES

SB 5038 Prime Sponsor, Honeyford: Increasing penalties for failure to yield to emergency vehicles or police vehicles. Reported by Committee on Judiciary February 16, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5038 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Weinstein, Vice Chair; Carrell, Esser, Hargrove, Johnson, McCaslin, Rasmussen and Thibaudeau

Passed to Committee on Rules for second reading.

SB 5041 Prime Sponsor, McCaslin: Revising deadly weapon and firearm sentence range enhancements. Reported by Committee on Judiciary February 16, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5041 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Weinstein, Vice Chair; Carrell, Esser, Hargrove, Johnson, McCaslin, Rasmussen and Thibaudeau

Passed to Committee on Ways & Means.

SB 5054 Prime Sponsor, Johnson: Regarding patient authorization of disclosure of health care information. Reported by Committee on Judiciary February 16, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5054 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Weinstein, Vice Chair; Esser, Hargrove, Johnson, McCaslin, Rasmussen and Thibaudeau

Passed to Committee on Rules for second reading.

SB 5084 Prime Sponsor, McAuliffe: Establishing a foster youth postsecondary education and training coordination committee. Reported by Committee on Early Learning, K-12 & Higher Education February 17, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5084 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Delvin, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

MINORITY recommendation: Do not pass. Signed by Senator Mulliken

Passed to Committee on Rules for second reading.

SB 5360 Prime Sponsor, Brandland: Making the certificate of academic achievement a requirement for running start eligibility. Reported by Committee on Early Learning, K-12 & Higher Education February 18, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5360 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Delvin, Eide, Kohl-Welles, Pflug, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

SB 5395 Prime Sponsor, Kastama: Requiring voting devices to produce paper records. Reported by Committee on Government Operations & Elections February 17, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5395 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Fairley, Haugen, Kline, McCaslin, Mulliken, Pridemore and Roach

Passed to Committee on Rules for second reading.

February 16, 2005

SB 5417 Prime Sponsor, Weinstein: Restricting access to motor vehicles for persons arrested for alcohol offenses (John's Law).  
Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Weinstein, Vice Chair; Carrell, Esser, Hargrove, Johnson, McCaslin, Rasmussen and Thibaudeau

Passed to Committee on Rules for second reading.

February 16, 2005

SB 5433 Prime Sponsor, Kline: Changing the membership of the commission on judicial conduct. Reported by Committee on  
Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Weinstein, Vice Chair; Carrell, Esser, Hargrove, Johnson, McCaslin, Rasmussen and Thibaudeau

Passed to Committee on Rules for second reading.

February 16, 2005

SB 5434 Prime Sponsor, Kline: Revising standards for antiharassment protection order hearings. Reported by Committee on  
Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Weinstein, Vice Chair; Carrell, Esser, Hargrove, Johnson, McCaslin, Rasmussen and Thibaudeau

Passed to Committee on Rules for second reading.

February 16, 2005

SB 5435 Prime Sponsor, Kline: Granting the municipal courts jurisdiction for antiharassment protection orders. Reported by  
Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Weinstein, Vice Chair; Carrell, Esser, Hargrove, Johnson, McCaslin, Rasmussen and Thibaudeau

Passed to Committee on Rules for second reading.

February 17, 2005

SB 5452 Prime Sponsor, Franklin: Prohibiting genetic testing as a condition of life insurance. Reported by Committee on  
Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5452 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel

Passed to Committee on Rules for second reading.

February 16, 2005

SB 5453 Prime Sponsor, Delvin: Providing civil immunity for broadcasters participating in the Amber alert. Reported by  
Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Weinstein, Vice Chair; Carrell, Esser, Hargrove, Johnson, McCaslin, Rasmussen and Thibaudeau

Passed to Committee on Rules for second reading.

February 17, 2005

SB 5459 Prime Sponsor, Shin: Restricting the information on recorded documents. Reported by Committee on Government  
Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5459 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Fairley, Haugen, Kline, McCaslin, Mulliken, Pridemore and Roach

Passed to Committee on Rules for second reading.

February 17, 2005

SB 5499 Prime Sponsor, Kastama: Clarifying and standardizing various election procedures. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5499 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Fairley, Haugen, Kline and Pridemore

MINORITY recommendation: Do not pass. Signed by Senators Mulliken and Roach

Passed to Committee on Rules for second reading.

SB 5531 Prime Sponsor, Kline: Providing indigent defense services. Reported by Committee on Judiciary

February 16, 2005

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Weinstein, Vice Chair; Esser, Hargrove, Johnson, Rasmussen and Thibaudeau

Passed to Committee on Ways & Means.

SB 5581 Prime Sponsor, Brown: Establishing the life sciences discovery fund. Reported by Committee on Labor, Commerce, Research & Development

February 17, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5581 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Keiser and Prentice

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and Parlette

Passed to Committee on Ways & Means.

SB 5638 Prime Sponsor, McAuliffe: Changing student assessment provisions. Reported by Committee on Early Learning, K-12 & Higher Education

February 17, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5638 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Berkey, Carrell, Delvin, Eide, Kohl-Welles, Mulliken, Pflug, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Ways & Means.

SB 5682 Prime Sponsor, Keiser: Regulating beer and wine sampling. Reported by Committee on Labor, Commerce, Research & Development

February 17, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5682 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Honeyford, Keiser, Parlette and Prentice

Passed to Committee on Rules for second reading.

SB 5685 Prime Sponsor, Kline: Administering the state-funded civil representation of indigent persons. Reported by Committee on Judiciary

February 16, 2005

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Weinstein, Vice Chair; Esser, Hargrove, Johnson and Rasmussen

Passed to Committee on Ways & Means.

SB 5691 Prime Sponsor, Esser: Authorizing jury source lists to be divided by jury assignment area. Reported by Committee on Judiciary

February 16, 2005

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Weinstein, Vice Chair; Carrell, Esser, Hargrove, Johnson, McCaslin, Rasmussen and Thibaudeau

Passed to Committee on Rules for second reading.

SB 5745 Prime Sponsor, Roach: Modifying primary election law. Reported by Committee on Government Operations & Elections

February 17, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5745 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Fairley, Kline, McCaslin, Mulliken, Pridemore and Roach

Passed to Committee on Rules for second reading.

February 17, 2005

SB 5746 Prime Sponsor, Kastama: Requiring the state to assume a share of primary and general election costs. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5746 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Fairley, Haugen, Kline, McCaslin, Mulliken, Pridemore and Roach

Passed to Committee on Ways & Means.

February 16, 2005

SJR 8207 Prime Sponsor, Kline: Changing the membership of the commission on judicial conduct. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Weinstein, Vice Chair; Carrell, Esser, Hargrove, Johnson, McCaslin, Rasmussen and Thibaudeau

Passed to Committee on Rules for second reading.

MOTION

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5041 and Senate Bill No. 5685 which were referred to the Committee on Ways & Means.

MOTION

On motion of Senator Eide, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 18, 2005

MR. PRESIDENT:

The House has passed the following bill{s};  
SUBSTITUTE HOUSE BILL NO. 1219,  
SECOND SUBSTITUTE HOUSE BILL NO. 1316,  
and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

February 21, 2005

MR. PRESIDENT:

The Speaker has signed:  
SUBSTITUTE SENATE BILL NO. 5097,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5151,  
and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MOTION

There being no objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6006 by Senators Honeyford, Mulliken and Parlette

AN ACT Relating to voter registration; amending RCW 29A.08.115, 29A.08.115, 29A.08.210, and 29A.08.220; adding a new section to chapter 29A.84 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Government Operations & Elections.

SB 6007 by Senators Finkbeiner and Stevens

AN ACT Relating to safety in children's placement services; amending RCW 13.34.132, 13.34.136, 13.34.260, and 74.13.250; adding new sections to chapter 13.34 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Human Services & Corrections.

SB 6008 by Senators Hargrove, Stevens and Rasmussen

AN ACT Relating to guardianship of dependent children; amending RCW 13.34.030, 13.34.110, 13.34.145, 13.34.230, 13.34.231, 13.34.232, 13.34.233, 13.34.234, 13.34.236, and 13.32A.030; reenacting and amending RCW 74.15.020; adding new sections to chapter 13.34 RCW; and creating a new section.

Referred to Committee on Human Services & Corrections.

SB 6009 by Senators Thibaudeau, Sheldon, Schmidt, Kline, Kohl-Welles and Rasmussen

AN ACT Relating to adding a tribal representative to the state board of health; and reenacting and amending RCW 43.20.030.

Referred to Committee on Health & Long-Term Care.

SB 6010 by Senator Fairley

AN ACT Relating to employment rights of peace corps volunteers; and adding a new section to chapter 41.06 RCW.

Referred to Committee on Labor, Commerce, Research & Development.

SB 6011 by Senators Rasmussen and Haugen

AN ACT Relating to performance and interpretation of nerve conduction tests and performance of needle electromyography; amending RCW 18.71.030; adding a new section to chapter 18.71 RCW; adding a new section to chapter 18.57 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 6012 by Senators Spanel, Oke, Weinstein, Esser and Rasmussen

AN ACT Relating to parking and business improvement areas; and amending RCW 35.87A.010.

Referred to Committee on Transportation.

SB 6013 by Senator Fraser

AN ACT Relating to a study of hazards of unused trailer hitches; and creating a new section.

Referred to Committee on Transportation.

SB 6014 by Senators Kline, Parlette, Kohl-Welles and Keiser

AN ACT Relating to ensuring that employers are not charged for claims made due to injuries during emergencies or disasters; and amending RCW 51.16.130.

Referred to Committee on Labor, Commerce, Research & Development.

SB 6015 by Senators Morton and Mulliken

AN ACT Relating to the payment of motor vehicle gross weight fees; amending RCW 46.16.135; and creating a new section.

Referred to Committee on Transportation.

SB 6016 by Senators Jacobsen, Poulsen and Kohl-Welles

AN ACT Relating to local transportation funding options; amending RCW 82.80.010 and 82.80.070; adding new sections to chapter 82.80 RCW; adding new sections to chapter 35.77 RCW; creating new sections; repealing RCW 82.80.040, 82.80.050, and 82.80.060; and providing effective dates.

Referred to Committee on Transportation.

SJM 8019 by Senators Shin, Rasmussen, Rockefeller, Weinstein, Kastama, Kohl-Welles, Pridemore, Berkey, Doumit, McAuliffe, Franklin, Keiser, Regala, Fairley, Prentice, Jacobsen, Fraser and Haugen

Requesting the United States trade representative to create a federal-state international trade policy commission.

Referred to Committee on International Trade & Economic Development.

JOURNAL OF THE SENATE  
INTRODUCTIONS AND FIRST READING OF HOUSE BILLS

SHB 1219 by House Committee on Health Care (originally sponsored by Representatives Cody, Schual-Berke, Morrell, Kessler, Simpson, Campbell, P. Sullivan, Williams, Chase, Dickerson, Quall, Kenney, O'Brien, Clibborn, Conway, Green, Lantz, Sells, Kagi, Ormsby, Wallace, McIntire, Upthegrove, Hasegawa and Kilmer)

AN ACT Relating to authorizing a prescription drug purchasing consortium; adding new sections to chapter 70.14 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

2SHB 1316 by House Committee on Appropriations (originally sponsored by Representatives Schual-Berke, Simpson, Kessler, Morrell, Kilmer, Upthegrove, Clibborn, Hasegawa, Conway, Roberts, Takko, Moeller, Kagi, Dickerson, Campbell and Ormsby)

AN ACT Relating to importation of prescription drugs from Canadian wholesalers; amending RCW 18.64.046; adding a new section to chapter 18.64 RCW; and creating new sections.

Referred to Committee on Health & Long-Term Care.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

At 12:03 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon Tuesday, February 22, 2005.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate